

Road Petitioned for by L. L. Garr and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 12 day of Oct, A. D. 1908, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 12 day of Oct, A. D. 1908, there was presented to said Board for their consideration, a petition signed by L. L. Garr and 17 others, praying for the Location of a certain road, hereinafter described.

The Board do find as follows: First—That said petition is a legal one, and is signed by at least twelve householders of Montgomery County, Kansas, residing in the vicinity of the road prayed for. Second—That the proper bond required by law has been filed, signed by L. N. Brown as principal and L. L. Garr and L. N. Gilmore as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed Location be had on the 6 day of Nov, A. D. 1908, and appoints Geo. Blackmore, L. N. Gilmore, and L. P. Dalby, three disinterested householders of Montgomery County, as viewers of said road, with instructions to meet in conjunction with the County Surveyor of Montgomery County, at the Said place of Beginning, in Caney Township, and proceed to view and survey the same, give to all parties a hearing, and make report thereof, as the law directs.

The Board further orders the County Clerk to prepare for publication, in the official newspaper of the County, a notice which shall contain a correct and pertinent description of said proposed Location of road, which said notice is in words and figures as follows, to wit:

State of Kansas, Montgomery County, ss.

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That on the 12 day of Oct, A. D. 1908, a petition signed by L. L. Garr and 17 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the Location of a certain road, described as follows, viz.:

Commencing about 647.5 ft South of the NW corner of the SW¹/₄ of Sec 12, Twp 34 Range 13 Running South as near as practicable to Sec Line to a point about 1360 ft North of the SW corner of the SW¹/₄ of Sec 12 Township 34 Range 13 as per agreement by and between L. N. Brown and Caney Township Board of Highway Commissioners Said road to be 50 ft in width throughout

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: Geo. Blackmore, L. N. Gilmore, and L. P. Dalby, as viewers, with instructions to meet in conjunction with the County Surveyor at the Place of Beginning, in Caney Township, on the 6 day of Nov, A. D. 1908, and proceed to view said road, give to all parties a hearing, and make report thereof as the law directs.

By order of the Board of County Commissioners.

(SEAL.)

E. H. Stewart, County Clerk.

4340 Crane & Company, Topeka.

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FINAL ORDER.

NOW, On this day, being one of the days of the regular meeting of the Board of County Commissioners of Montgomery County, Kansas, begun and holden on the 16 day of Nov, A. D. 1908, comes on for hearing the report of the viewers and surveyor upon the Location of a road petitioned for by L. L. Garr and others, praying for the Location of a road described as follows, to wit:

Starting at a point 620.2 ft on the Section line south of the NW¹/₄ Stone of Section 12 Twp 33 Range 13 East Thence South 722 feet Va 35° 40' East Thence South 436 feet Va 22° 25' E Thence South 110.3 feet Va 23° 05' West Thence south 350.5 feet Va 75° 45' West. Platted

The Board finds thereon as follows: First—That notice of the view and survey of said Location has been given by advertisement in the Cherryvale Republican, a newspaper published and of general circulation in Montgomery County, Kansas, for two consecutive weeks, the last publication of which was not more than twenty days prior to the time appointed for the view and survey thereof, in pursuance of an order made at the Oct 12, 1908, meeting of said Board; that a copy of said notice has been set up in the County Clerk's office, and in every municipal township through which any part of said road was designated to be Located, for at least twenty days next preceding the view and survey thereof. Second—That the proper notices have been given in writing to the owners and agents of owners through whose lands such road is proposed to be Located at least six days prior to the view and survey thereof.

THEREFORE, Upon due consideration, and no legal objection having been made against the Location of said road, and believing the same will be of public utility, it is ordered that the viewers' report of view, surveyor's report of survey, and his plat thereof, be accepted and adopted, and said road Located in accordance therewith.

IT IS FURTHER ORDERED, That the Surveyor make a record of said road in the County Road Records, including field-notes and plat; also, that the County Clerk notify the Trustee of Caney Township to cause said road to be Opened for public travel to a width of 50 feet.

IT IS FURTHER ORDERED, That warrants issue to the following-named persons, for amounts stated, in full compensation for all damages occasioned by the location and establishment of said road, to wit:

<u>Geo. Blackmore</u>	Viewer	2.00
<u>Geo. P. Dalby</u>	"	2.00
<u>L. N. Gilmore</u>	"	2.00
<u>L. E. Haulon</u>		1.50
<u>L. N. Brown</u>	Lands Taken	100.00

Attest:

E. H. Stewart, County Clerk.

(SEAL.)

O. F. Morris, Chairman of the Board of County Commissioners.